

REMARKS

Formal Matters

Claims 1-7 are pending in the application.

Specification

The Examiner objects to the specification as failing to provide proper antecedent basis for the claimed subject matter. The Examiner states that the limitation “shared family architecture” is not recited and defined in the specification. Applicant respectfully disagrees. In an amendment to the specification, received in the US PTO on February 3, 2004, a description of “shared family architecture” was added to the specification. Shared family architecture is based upon a skeleton of generic building blocks of software, and includes generic building blocks that define abstract behavior and their mutual relationships. Because this limitation is present in the specification, page 1, paragraph beginning at line 5, applicant respectfully requests that this objection be withdrawn.

Drawings

The Examiner requires new drawings because Figure 1 does not show the claimed invention. Applicant respectfully disagrees with the need for new drawings because Figure 1, as amended in a Response received at the United States Patent and Trademark Office on March 22, 2004, shows all of the features of the claims as follows. Computer readable medium is known in the art to be computer storage or computer memory, which is shown in Figure 1 as CInt, which is a client which indirectly serves commands, as described in the specification in paragraph [0009]. Computer program is shown, *inter alia*, as component framework, and is defined as such in the specification in paragraph [0020]. A family of systems is shown in Figure 1 as a family of X-ray diagnostic systems including an X-ray detector and a patient table (shown as “rotation of table”),

as defined in the specification in paragraph [0021]. A shared family architecture is defined as a skeleton of software architecture (see above discussion of specification) which comprises generic and specific requirements; this is shown in Figure 1 as SCF or service component framework. Service specific issues are shown in Figure 1 as Svc a, Svc b1, Svc b2, Svc C1, Svc C2. An x-ray examination apparatus is shown in Figure 1 as X-ray DETECT. Applicant respectfully states that verbs or actions are not drawn or shown on a drawing. These actions mentioned by the Examiner include managing, focuses, generic meaning, supports participating, and manipulate hardware associated. Applicant requests that this requirement for new drawings be withdrawn.

Claim Objections

Claims 2-7 are objected to because of formalities. Applicant herein amends claims 2-7 to correct these informalities. No new matter has been added. Withdrawal of this objection is respectfully requested.

Rejection of Claims 3 and 4 under 35 U.S.C. §112

Claims 3 and 4 are rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant herein amends claims 1, 3 and 4 to provide antecedent basis for “the services” in claim 3 and “the system” in claim 4. Applicant respectfully requests that this rejection be withdrawn.

Rejection of Claims 1, 3, 6 and 7 under 35 U.S.C. §103

Claims 1, 3, 4, and 19 are rejected under 35 U.S.C. §103(a) as being unpatentable over McDevitt, et al., U.S. Publication 2003/0186228 A1 Oct. 2, 2003, in view of Skeen et al., U.S.

Patent 5,257,369 and “Official Notice”. This rejection should be withdrawn based on the comments and remarks herein.

An object of applicant’s invention is to provide a family of complex systems in which a relatively large degree of diversity among present and/or future family members is supported by the common software architecture. (page 1, lines 16-18) Further, rather than creating a single product, as taught by prior art, a product family based on a general understanding of product variations is disclosed. (see amendment to specification received February 3, 2004). To achieve this objective, the features of the present invention include “a component framework supporting participating plug-in components” and “individual software plug-in components providing services” as set forth in independent claims 1 and 7. Notably, the component framework includes an inventory function (abstract, claim 2).

By contrast, McDevitt discloses a system and method for analysis of a fluid containing one or more analytes, and may generate patterns that are diagnostic for both the individual analytes and mixtures of the analytes. (column 2, paragraph 0017) More specifically, McDevitt discloses a method and system for the collection and transmission of chemical data, in the form of raw data, formatted data, or reports, over a computer network (column 43, paragraphs 0417-0418). McDevitt also discloses hardware and software components that comprise a computer system, and lists software programs that may be implemented on such a computer system. (column 43, paragraphs 0424-0425) Thus, McDevitt teaches collecting and analyzing data. McDevitt does not teach or suggest a family or group of systems. Nor does it teach shared architecture; in fact, McDevitt does not teach or suggest computer architecture at all. McDevitt merely lists various ways in which software programs may be implemented (column 43, paragraph 425) without suggesting any component framework, or sharing among or between any

hardware or the software programs or the system architecture. Further, McDevitt teaches a detection system in which a user selects the proper detection system enclosure for the detection of the desired analyte, which teaches away from the present invention in which no user interaction is needed.

Thus, McDevitt does not teach or suggest the limitation of “a component framework that comprises a skeleton of software architecture” as recited in the present invention. The component-based techniques of McDevitt do not include, for example, an inventory function, so these techniques are not equivalent to applicant’s component framework. Skeen does not overcome this deficiency. Thus, even taken together, McDevitt and Skeen do not disclose applicant’s invention.

Further, the Examiner takes “Official Notice” that both the concept and advantages of providing a skeleton software architecture having both generic and specific requirements is well known and expected in the art. Applicant respectfully disagrees with the Examiner’s statement that skill in the art provides one with the knowledge to provide skeleton software architecture having both generic and specific requirements based on the disclosures of McDevitt and Skeen. “Rarely, however, will the skill in the art component operate to supply missing knowledge or prior art to reach an obviousness judgment.” *Al-Site Corp. v. VSI International Inc.*, 174 F.3d 1308, 50 USPQ2d 1161 (Fed. Cir. 1999). Therefore, McDevitt and Skeen, even taken together in combination along with Official Notice, do not disclose or suggest the recitations of independent claims 1 and 7.

Claims 3 and 6 depend from independent claim 1, thus incorporating novel and nonobvious features of their base claim and are therefore patentably distinguishable over the

prior art for at least the reasons that their base claim is patentably distinguishable over the prior art. Accordingly, applicant requests that the rejection of claims 1, 3, 6 and 7 be withdrawn.

Rejection of Claims 3-5 under 35 U.S.C. §103

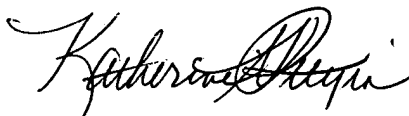
Claims 3-5 are rejected under 35 U.S.C. §103(a) as being unpatentable over McDevitt, cited above, Skeen, cited above, and “Official Notice” and further in view of Java 2 Platform, Enterprise edition, J2EE, Sun Microsystems, 12/17/1999 (hereinafter Shannon-Sun). This rejection should be withdrawn based on the comments and remarks herein.

Shannon-Sun does not cure the deficiencies of McDevitt and Skeen along with Official Notice as they relate to the above-cited features of Applicants’ invention as claimed in independent claims 1 and 7. Claims 3-5 depend from independent claim 1, and thus incorporate novel and nonobvious features thereof. Therefore, claims 3-5 are patentably distinguishable over the prior art for at least the reasons that their base claim is patentably distinguishable over the prior art. Accordingly, this rejection should now be withdrawn.

Conclusion

For at least the reasons set forth in the foregoing discussion, Applicant believes that the Application is now allowable, and respectfully requests that the Examiner reconsider the rejections and allow the Application. Should the Examiner have any questions regarding this Amendment, or regarding the Application generally, the Examiner is invited to telephone the undersigned attorney.

Respectfully submitted,



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